

NOV 24 2008

**FAX TRANSMISSION****DATE:** November 24, 2008**PTO IDENTIFIER:** Application Number 10/538,223-Conf. #9409  
Patent Number**Inventor:** Heinz Schneider**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Liza D. Hohenschutz

**PHONE:** (302) 658-9141**Attorney Dkt. #:** 09600-00031-US**PAGES (Including Cover Sheet):** 13**CONTENTS:** Amendment in Response to Non-Final Office Action (11 pages)  
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**CONNOLLY BOVE LODGE & HUTZ LLP**  
1007 North Orange Street, P. O. Box 2207, Wilmington, Delaware 19899-2207  
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

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PTO/SB/97 (10-08)

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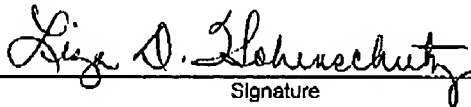
Application No. (if known): 10/538,223

Attorney Docket No.: 09600-00031-US

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Docket No.: 09600-00031-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Heinz Schneider

Application No.: 10/538,223

Confirmation No.: 9409

Filed: June 29, 2005

Art Unit: 1655

For: FORMULATION WHICH CAN BE  
ADMINISTERED GASTROINTESTINALLY,  
AND THE USE THEREOF

Examiner: M. L. McCormick

**RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the Office Action mailed August 22, 2008, the time for a response to which expires on November 24, 2008. This response is timely filed on November 24, 2008. The original due date was Saturday, November 22, 2008. Monday, November 24, 2008 is the next succeeding day the U.S. patent and Trademark Office is open for business.

Please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.